

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

CARMELO CAEZ CRUZ

CASE NO. 14-08561 (MCF)

DEBTOR(S)

CHAPTER 13

REPLY TO DEBTOR'S OBJECTION TO TREASURY'S POC NO.8

TO THE HONORABLE COURT:

COMES NOW, The Treasury Department of the Commonwealth of Puerto Rico, herein "Treasury", through the Secretary of Justice, by the undersigned counsel, and respectfully states and prays as follows:

1. This Honorable Court has jurisdiction under Title 28 USC §1334, and venue under Title 28 USC §1408.
2. On February 9, 2015, Debtor filed the instant petition for relief under Chapter 13.
3. On October 17, 2014, Treasury filed proof of claim No. 8, which included an unsecured priority debt of \$23,833.84, and a general unsecured debt of \$8,361.15, for a total tax liability of \$32,194.99. **Please see Bankruptcy Claims Register, under claim no. 8.**
4. On September 23, 2015, Debtor filed an objection to Treasury's POC no. 8. In sum, Debtor objects alleging "according to Department of Record offices there are no records that indicate that debtor owe the amounts of #32,194.46 of income tax." **Please see Docket no. 51.**

5. On October 22, 2015, Treasury filed a request for extension of time to file reply to debtor's objection to POC 8.

Please see Docket no. 56.

6. The thirty day period requested by the appearing counsel overlapped with the period I was out of office on vacation leave. Nonetheless, the appearing party very respectfully hereby submits its reply to Debtor's objection to POC 8.

7. After a careful review of Debtors' allegations and Treasury's record, Treasury remains in its position.

8. Treasury's proof of claim no. 8 was filed according to our records. As of today, our records show that Debtors failed to file and pay the Informative Income Tax Returns (400) regarding the 7% withholding for the payment of Professional Services for the dba "Car Grua", XXX-XX-2682. Thus, POC 8 included said (400) estimated debt.

9. Thus, based on all of the above discussed, the Treasury Department remains in its position and requests the Honorable Court to deny Debtor's objection to POC 8 at docket 51 and motion requesting entry of order at docket 62 and enter an Order for the payment and allowance of POC 8 as filed.

WHEREFORE, the Treasury Department of the Commonwealth of Puerto Rico respectfully prays from this Honorable Court to deny Debtor's objection to POC 8 at docket 51 and motion requesting

entry of order at docket 62 and enter an Order for the payment and allowance of POC 8 as filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this date I filed this motion with the Clerk of the Bankruptcy court using the CM/ECF system, which will serve notice to all participants.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 13 day of January, 2016.

CESAR R. MIRANDA RODRÍGUEZ

Secretary of Justice of the Commonwealth of Puerto Rico
Designated

MARTA ELISA GONZÁLEZ Y.

Deputy Secretary of Justice
In Charge of Litigation

WANDYMAR BRGOS VARGAS

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